

U.S. Patent Application Serial No. 10/561,789
Amendment filed June 18, 2010
Reply to OA dated March 24, 2010

REMARKS

Claims 1-20 are pending in this application. Claims 6, 8-9, 11-12, 16, and 19-20 are amended herein. Upon entry of this amendment, claims 1-20 will be pending. Entry of this amendment and reconsideration of the rejections are respectfully requested.

No new matter has been introduced by this Amendment. The amendments to claims 6 and 12 are for clarity, as detailed below. The amendments to claims 8, 9, 11, 16, 19 and 20 correct typographical errors, as discussed below.

Claims 1-8, 11-14, 16-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Takashi et al. (JP 08-264195). (Office Action paragraph no. 2)

The Examiner cites Takashi as disclosing a fuel cell in which two electrodes are printed on the same surface of an electrolyte sheet. The Examiner cites in particular Fig. 1 and page 4 of the translation of Takashi.

The rejection is respectfully traversed and reconsideration is requested.

With regard to claim 1, Takashi does disclose an electrolyte and electrodes 1 and 3, which might be considered to be an electrode element. However, Applicant submits that Takashi does not disclose the structure of claim 1, which requires a **substrate** on the other side of the electrolyte from the electrodes. Specifically, claim 1 requires a substrate and an electrolyte disposed on one surface of the substrate, and “an anode and cathode disposed on the same surface of the electrolyte” This

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is illustrated, for example, in Fig. 1 of the specification, in which the **substrate 1** is illustrated under electrolyte 3, which is under anode 5 and cathode 7.

The English translation of Takashi at paragraph [0010] discloses connection of the electrodes on separate electrolyte sheets, which are ceramic sheets of stabilized zirconia or perovskite type oxide. However, there is no disclosure that the electrolyte is disposed **on a substrate**, and there appears to be no explicit disclosure of a substrate in the reference.

Further with regard to claim 5, Applicant submits that there is no disclosure in Takashi of a groove formed in the electrolyte to partition between adjacent electrode elements.

Applicant has amended claim 6 to grammatically clarify that the “electrolyte is separated ~~from the~~ between each adjacent electrode element ~~elements~~.” This recitation is supported, for example, by Fig. 8 of the application.

With regard to claim 7, Applicant submits that there is no disclosure in Takashi of an insulating material between adjacent electrolytes. This structural limitation of claim 7 is seen, for example, in Fig. 11 of the specification.

The rejection of independent claim 12 is traversed on the same grounds as the rejection of claim 1. However, claim 12 has been amended for clarity as follows: “the electrolyte of each single cell being disposed on the substrate ~~with predetermined space therebetween~~ and separated by a predetermined space from adjacent electrolytes.”

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Further with regard to claim 16, this claim recites that the substrate is a ceramic material. Applicant has argued above that Takashi does not disclose any substrate, and therefore Takashi clearly does not disclose this limitation on the material of the substrate.

Claims 1-8, 11-14, 16-19 are therefore not anticipated by Takashi et al. (JP 08-264195).

Claims 8-9, 11, 16 are objected to because of informalities. (Office Action paragraph no. 3)

Claims 19-20 are objected to because of informalities. (Office Action paragraph no. 4)

The Examiner points out typographical errors ("Claim1" and "Claim13"). The amendments to claims 8, 9, 11, 16, 19 and 20 correct these errors.

Claims 9-10, 15, and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. (Office Action paragraph no. 5)

Reconsideration of the objection is respectfully requested. Applicant has traversed the rejection of base claims 1 and 12 and has not rewritten claims 9-10, 15 and 20 in independent form.

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If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicants' undersigned agent at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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